

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of)	MAIL STOP AMENDMENT
)	
Tsunenori Arai et al.)	Group Art Unit: 3769
)	
Application No.: 10/560,821)	Examiner: Johnson III, Henry M
)	
Filed: December 15, 2005)	Confirmation No.: 9015
)	
For: PHOTODYNAMIC THERAPY)	
EQUIPMENT, METHOD FOR)	
CONTROLLING PHOTODYNAMIC)	
THERAPY EQUIPMENT AND)	
METHOD OF PHOTODYNAMIC)	
THERAPY		

SIXTH INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure as set forth in 37 C.F.R. § 1.56, the accompanying information is being submitted in accordance with 37 C.F.R. §§ 1.97 and 1.98.

Enclosed is a copy of a Notification of Reason for Refusal ("Notification") dated September 1, 2009 from the Japanese Patent Office (and English language translation thereof) in connection with Japanese Patent Application No. 2005-500929. It is noted that Japanese Patent Application No. 2005-500929 claims priority to Japanese Patent Application No. 2003-176687, which is the foreign priority application for the present U.S. National Stage application.

The Notification is being submitted after a first Office Action on the merits but prior to the closing of prosecution, therefore under 37 C.F.R. § 1.97(c), a statement is enclosed.

I, the undersigned, hereby state in accordance with 37 C.F.R. § 1.97(e)(1) that the Notification contained in this Information Disclosure Statement was dispatched from a

foreign patent office in a counterpart foreign application not more than three (3) months prior to the filing of this Information Disclosure Statement.

To assist the Examiner, the Notification is listed on the attached form PTO-1449. It is respectfully requested that an Examiner initialed copy of this form be returned to the undersigned.

The Examiner's attention is drawn to the fact that copies of the four cited documents listed on page 2 of the Notification are not submitted herewith for the reasons that follow:

1. WO 93/21842 -- was previously submitted by Applicants with the Third Information Disclosure Statement filed on September 6, 2007;
2. JP-A-2000-511929 -- corresponds to WO 98/18399 (see International Search Report¹), which was previously submitted by Applicants with the First Information Disclosure Statement filed on December 15, 2005;
3. JP-A-2001-190566 -- corresponds to EP 1101450 A1 (see International Search Report), which was previously submitted by Applicants with the First Information Disclosure Statement filed on December 15, 2005; and
4. JP-A-59-501299 -- corresponds to WO 84/00101 (see International Search Report), which was previously submitted by Applicants with the First Information Disclosure Statement filed on December 15, 2005.

¹ The International Search Report was also submitted with the First Information Disclosure Statement filed on December 15, 2005.


The Director is hereby authorized to charge any appropriate fees under 37 C.F.R. §§ 1.16, 1.17 and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 02-4800.

Respectfully submitted,

BUCHANAN INGERSOLL & ROONEY PC

Date: October 19, 2009

By:


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